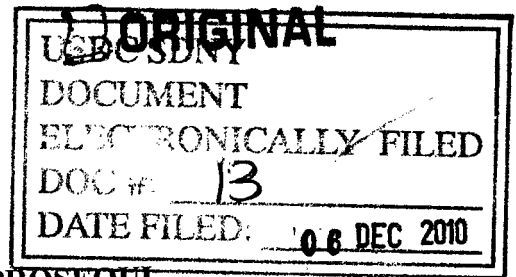


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



----- x
UNITED STATES OF AMERICA :

-v- :

CHANDLER S. MOISEN, :
a/k/a "Stuart Moisen," :

Defendant. :

NOLLE PROSEQUI

06 Cr. 1177 (GBD)

----- x

1. The filing of this nolle prosequi will dispose of this case.

2. On December 21, 2006, Information 06 Cr. 1117 (GBD) ("the Information") was filed, charging CHANDLER S. MOISEN, a/k/a "Stuart Moisen," the defendant, with one count of conspiracy to defraud the United States, in violation of Title 18, United States Code, Section 371, and one count of wire fraud affecting a financial institution, in violation of Title 18, United States Code, Section 1341. On the same day, MOISEN pleaded guilty to both of the aforementioned charges contained in the Information, pursuant to a plea agreement.

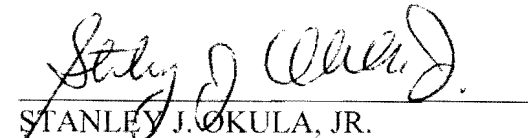
3. On September 26, 2010, while this case was still pending, defendant MOISEN died. A copy of a report from the Orange County, California, Coroner's Office, confirming the defendant's death, is attached hereto.

4. Because the defendant died while this case was pending, and therefore before a final judgment was entered, the indictment against him must be dismissed under the rule of abatement.


See United States v. Wright, 160 F.3d 905, 908 (2d Cir. 1998).

5. In light of the foregoing, I recommend that an order of nolle prosequi be filed with respect to Information No. 06 Cr. 1117 (GBD).

Dated: New York, New York
December 3, 2010



STANLEY J. OKULA, JR.
Assistant United States Attorney
Telephone Number: (212) 637-1585

Upon the foregoing recommendation, I hereby direct, with leave of the Court, that an order of nolle prosequi be filed as to CHANDLER S. MOISEN, a/k/a "Stuart Moisen," the defendant, with respect to Information 06 Cr. 1117 (GBD).

By: 
Acting United States Attorney
Pursuant to 28 C.F.R. §0.136
PREET BHARARA *in SK*
United States Attorney
Southern District of New York

Dated: New York, New York
December 3, 2010

SO ORDERED: 06 DEC 2010


HONORABLE GEORGE B. DANIELS
United States District Judge
Southern District of New York

Dated: New York, New York
December __, 2010

**SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA**

1071 W. SANTA ANA BOULEVARD
SANTA ANA, CA 92703
(714) 647-7400

**SANDRA HUTCHENS
SHERIFF-CORONER**

**UNDERSHERIFF
JOHN L. SCOTT**

**EXECUTIVE COMMAND STAFF
JACK ANDERSON
JOHN B. DAVIS
RICK DOSTAL
MICHAEL R. HILLMANN
MIKE JAMES**

October 18, 2010

TO WHOM IT MAY CONCERN:

THIS DOCUMENT WILL SERVE TO CONFIRM THE DEATH OF:

DECEDENT'S NAME: **MOISEN, Chandler Stuart**

CORONER CASE: **10-05378-BA**

DATE OF DEATH: **09/26/2010**

DATE OF BIRTH: **10/18/1955**

Should you require any additional information, or to purchase more detailed official reports contact the undersigned at (714) 647-7400.

Custodian of Records
Coroner Division